



Commissioner's Instruction

No: 2023/01

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – Amendment and use of COVID Posts

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 79/2020 'Novel Coronavirus (COVID-19) Interim Measure – Amendment and use of COVID Posts' is rescinded and replaced by this Commissioner's Instruction.

COVID Posts

The modification, activation and continual staffing of COVID specific roles (COVID Posts) is no longer mandatory. The priority for custodial staffing is to fill operational roles in the correctional centre (in accordance with the sequence outlined in AC Custodial Corrections Memo 2021/16 *Filling Daily Roster Vacancies and Variable Operating Routines in Correctional Centres*).

COVID Posts may be filled when:

- There is a need for the COVID Posts to be filled, and
- Additional staff are available.

Duties and staffing of COVID Posts are at the discretion of centre management and must evolve with the COVID needs and requirements of specific centre priorities.



Set out below is a three (3) tiered priority approach that is to be applied in the future utilisation of COVID posts

Priority One (1)

- Priority 1, COVID Posts require approval by Governor / Stand-alone MOS, or when these positions are not on duty the Functional Manager;
- Priority 1 means, temporary roles beyond establishment, which are filled daily on a specific work needs basis;
- Where only one (1) of the Priority 1 COVID Posts can be filled due to staffing availability, the following filling sequence recommended;
 1. COVID-19 Liaison Officer
 2. COVID-19 Screening Officer

Priority Two (2)

- Priority 2, COVID Posts require approval by the relevant Custodial Director;
- Priority 2 means, temporary COVID Posts needs, in addition to Priority 1 posts with a monthly review to occur to determine ongoing (temporary) need;
- Priority 2 posts are only filled as required, with the following filling sequence recommended;
 1. COVID Hygiene
 2. COVID Visits
 3. COVID AVL
 4. COVID Inmate Management

Priority Three (3)

- Priority 3, COVID Posts require approval by the relevant Assistant Commissioner, Security & Custody
- Priority 3 means, temporary COVID Posts, in addition to Priority 1 and Priority 2 posts with a monthly review to occur to determine ongoing (temporary) need;
- Requests for extra Priority 3 posts are to be made via Submission to Assistant Commissioner, outlining the rationale and need for the additional COVID Posts;
- The relevant Custodial Director must review and consider the request and make a recommendation to the Assistant Commissioner to make the final decision

COVID related expenditure

To support the tracking of COVID related expenditure, centres must utilise the relevant COVID cost codes when staff are deployed over establishment to perform COVID related duties.

Contact Officer: [REDACTED]

Phone contact: [REDACTED]

Email address:

CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 02

For the information of all CSNSW staff

Subject: Procedure for the request of legal advice

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Requests for legal advice **must** be submitted to Corrections Strategy & Executive Services (CSES) in the first instance. Business areas are not to lodge a request for advice directly with DCJ Legal Services.

All requests must be made in writing directly to CSES.

The Request for Services form is available on the CSNSW intranet. Completed forms are to be submitted to CSES for processing at:

[REDACTED]

[REDACTED]

Contact Officer:

Phone contact:

Email address:

[REDACTED]



Commissioner's Instruction

No: 2023 / 03

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **Update to Inmate Movements**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

The following Commissioner's Instruction 46/2022 '*Novel Coronavirus (COVID-19) Interim Measure - Update to Inmate Movements and Staging*' is rescinded and replaced by this Instruction.

Management of inmate movements

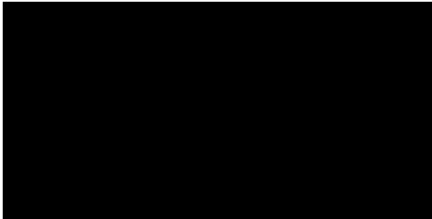
- Oversight of all inmate movements is the responsibility of the Director Sentence Management.
- Movement of any inmate who is currently in isolation must be managed in line with isolation inmate protocols, until the isolation period has been completed and they have been cleared by Justice Health & Forensic Mental Health Network (JH&FMHN) / private health providers.
- The Command Post, Classification and Placement and Strategic Population Management (SPM) will monitor and review inmate movements at regular intervals to ensure movements are not contributing to transmission of COVID-19.

Prior to any inmate movement

- SPM will not co-ordinate the transfer of any inmate until JH&FMHN / private health providers have provided advice on the inmate's quarantine/isolation status.



- Any inmate being transferred from the Metropolitan Remand and Reception Centre (MRRRC) through to northern correctional centres will continue to be transited through Kariiong Correctional Centre.
- Inmate sweepers working in Red Zone Areas are not permitted to work in any other area/pod. Inmate sweeper movements out of the area must be strictly controlled, with no contact with inmates from other areas. Red Zone Area sweepers must adhere to Red Zone Personal Protective Equipment (PPE) requirements at all times.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 04

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – Resumption of Family and Friends Visits – Phase 5

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 40/2022 'Novel Coronavirus (COVID-19) Interim Measure – Resumption of Family and Friends Visits – Phase 4', is rescinded and replaced by this Instruction.

Phase 5 visits to correctional, residential and transitional centres will continue in accordance with the requirements set out in this Commissioner's Instruction.

In-person social visits to all correctional, residential and transitional centres will be subject to the following conditions.

Conditions for Visits

- A COVID-19 positive inmate, an inmate who is in quarantine or clinical isolation, is not eligible for an in-person visit.
- Video visits will continue to be available at all correctional centres.

Visits (time/numbers)

Visits will run for a maximum of 60 minutes and must be pre-booked. An extended period of visit may be granted locally at the discretion of the Governor.

- A maximum of six (6) visitors per inmate, including children of any age.
 - A maximum of four (4) adult visitors are permitted.
 - Visitors under the age of 18 years must be accompanied by an adult.

RAS testing

- All visitors aged five (5) years and above are to undertake a Rapid Antigen Screening (RAS) test onsite prior to entry into the correctional centre



- Children aged 5-11 years: accompanying adult visitor to supervise testing
- Visitors aged 12+ years: may self-administer the RAS
- Visitors may provide a medical certificate or Service NSW notice confirming the date of person's clearance from COVID-19 infection and exemption from RAS testing for four (4) weeks, as per the relevant Public Health Order.

Masks

- All inmates, and visitors aged five (5) years and above must wear a Corrective Services NSW (CSNSW) supplied surgical face mask for the duration of the visit. No mask exemptions will be accepted.
- Masks may only be removed when actively eating or drinking.

Groups of visitors

- Movement between groups of visitors is not permitted.
- Members from the same household visiting the same inmate are not required to socially distance. Families are encouraged to maintain personal space from other groups. Children should be supervised by the parent/carer/inmate throughout the visit.

Hygiene and Personal Protective Equipment (PPE) requirements

- Visitors and inmates must practice covid safe hygiene practices and wear masks.
- Visitors and inmates must sanitise or wash hands prior to the start of the visit and at the end of the visit once masks are removed.

Permissible contact

- Contact between inmates and visitors may now return to pre-COVID settings as per normal visits Local Operating Procedures.

Consumables and playground area

At Local Management discretion:

- The consumption of food and drinks can be permitted during visits.
- Playgrounds can be opened and used by children during visits.

Staff PPE requirements

- CSNSW staff are to continue to comply with PPE requirements as per Commissioner's Instructions when interacting with inmates and visitors.

Visitors will not be permitted entry to a NSW correctional centre for an in-person visit if they:

- Have COVID-19 symptoms
- Are waiting for a COVID-19 test result.
- Refuse a Rapid Antigen Screening (RAS) test at the point of entry
- Or anyone they have travelled with, or are intending to visit with, test positive on the RAS test.
- Have been exposed to COVID-19 unless they have completed their self-isolation and testing requirements.



- Have had high risk exposures (in accordance with Health Guidelines), they must not enter high risk settings for at least seven (7) days since their exposure to a COVID-19 positive person.
- Refuse to answer any screening questions.

Visitor restrictions

Existing processes will apply to restrictions or prohibitions for visits. Failure to adhere to the requirements set out in this Commissioner's Instruction may result in restrictions or prohibitions being imposed on an inmate or visitor by local authorised officers.

Signage

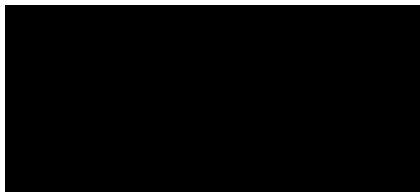
Correctional centres are to display COVID-Safe signage in and around the visits area.

Centre outbreaks and screening

For centres with current outbreaks, a plan regarding visits will be developed in conjunction with the COVID-19 Command Post and Population Health.

Progression to Business as Usual (BAU) with less restrictions

Any changes to these conditions or progression to less restrictive BAU measures will be made by way of a new Commissioner's Instruction once Phase 5 has been reviewed.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 05

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **Update to External Leave Program (ELP) requirements – Stage 4**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 41/2022 '*Update to External Leave Program (ELP) requirements – Stage 3 – Amended*' is rescinded and replaced by this Commissioner's Instruction.

The Crimes (Administration of Sentences) Act 1999 makes provision under section 6(2) and section 26 for inmates in a range of circumstances to be temporarily absent from a correctional centre or correctional complex. As of 30 May 2022, the following external activities and programs facilitated under section 6(2)(c) and section 26 of the Crimes (Administration of Sentences) Act 1999 are permitted to recommence subject to several risk mitigation strategies in response to COVID-19:

- Work Release Program, section 6.2 off complex.
- All education and training outside the correctional complex.
- Relevant activities undertaken by "Stage 2" inmates at the Compulsory Drug Treatment Correctional Centre under the provisions of section 106D(3).
- Social Leave activities / All day and weekend leave.

Any correctional centre operating inmate external leave programs, transitional centres and the Compulsory Drug Treatment Correctional Centre are required to implement the below COVID 19 risk mitigation strategies for their external leave program/s in addition to complying with their existing pandemic plan. An updated pandemic plan and COVID-19 Workplace Safety Plan must be reviewed and approved by the



Governor or Manager of Security (MOS) of the correctional centre prior to recommencement or continuation of external leave activity.

Standard COVID-19 Risk Mitigation Strategies for ELP:

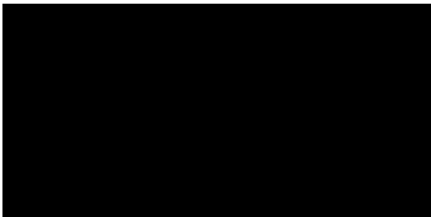
- Inmates engaging in ELP activities must undertake a Rapid Antigen Screening (RAS) test every 48 hours prior to leaving the correctional centre.
- RAS testing in the first instance should be facilitated by Justice Health & Forensic Mental Health Network (JH&FMHN) staff or Private Centre Health Provider staff locally. If JH&FMHN or Private Centre Health Provider staff are not able or available to test inmates for the purposes of the ELP, CSNSW/private provider staff trained in the supervision of RAS, can supervise those inmates self-administering the RAS test, whilst wearing full Red Zone PPE.
- Any inmate returning a positive result to a RAS must be isolated by centre staff and referred to JH&FMHN or private health provider for review.
- If testing cannot be undertaken, inmates cannot depart from the centre to participate in the ELP.
- Where possible, utilise a wing/honour house specifically for external leave inmates and remove/minimise opportunities for external leave inmates to associate with non-external leave inmates.
- ELP inmates are required to wear face masks, when moving through the centre, and particularly when in contact with any other inmates not living inside their unit.
- If an inmate returns a positive RAS test, is symptomatic, or has been identified as a high-risk close contact, an isolation placement is required until cleared by JH&FMHN or private health provider.
- Any ELP inmate regressed in classification, should be monitored for COVID19 symptoms, given their potential exposure in the community as part of the ELP.
- Inmates participating in the ELP to be accommodated together (if possible) and away from other large accommodation areas to mitigate risk of transmission, this might also include one-out cell placement if required.
- Screening for symptoms is to be undertaken prior to leaving the centre and upon return from external leave activities for all inmates.
- The employer or educational facility must advise the correctional centre staff if any person at the workplace/educational place is isolating due to being a close contact or has tested positive to COVID-19.
- Correctional centre staff must provide inmates with surgical masks for use on either public transport or when being transported by CSNSW to and from work/appointment locations. Inmates participating in the ELP must adhere to all hand hygiene protocols and physical distancing in the correctional centre and work location.
- Employers must provide approved COVID-19 Safe Plans to the External Electronic Monitoring Group prior to the commencement of the ELP activity. A copy of this COVID-19 Safe Plan is to be provided to the centre.



Additional requirements for all day and weekend leave:

- When completing the Sponsor Form, the sponsor must declare if any household member has been identified as close contact, has been infected, or symptomatic.
- Inmates engaging in social activities/all day and weekend leave are to be RAS tested prior to leaving the centre and upon return. Should a participant identify symptoms or be observed as having symptoms they must be referred to JH&FMHN for assessment.
- The inmate sponsor must advise the 24hour Electronic & External Monitoring Group number (ph.: 1300 883 708) if any person at home or any person who has attended the excursion, is isolating due to being a close contact or has tested positive to COVID-19.
- Correctional centres are to employ a controlled response to pick up and return an inmate to a correctional centre after a report of possible COVID-19 exposure.
- When a controlled pick up is not available, and where possible, the inmate is to be returned by the sponsor via private transport. If this option is not available, then the Governor or MOS may extend the section 26 for no more than 2 days whilst special transport is arranged. In the case of needing to extend the section 26 to manage a COVID-19 case, it is recommended this decision be escalated to the responsible Director, Custodial Corrections, by the Governor/MOS of the centre to approve.
- When an inmate cannot be quarantined in their centre, the Governor or MOS is to consult with the COVID-19 Command Post to negotiate an action plan in accordance with the quarantine/isolation guidelines. If required, the centre can then issue a section 23 and have the inmate moved to the nearest correctional centre with quarantine/isolation availability.
- Inmates and their sponsors are encouraged to preference outdoor settings when undertaking excursions.

CSNSW reserves the right to suspend inmate external leave activities in response to any operation or COVID-19 related issues or risks identified. CSNSW will consult with NSW Health regarding COVID-19 prevalence in the community and any risk this may pose to ELP activities across the state.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 06

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **Correctional Centre management of quarantine and isolation inmates, fresh reception inmates and COVID-19 positive inmates**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction (CI) 34/2022 'Novel Coronavirus (COVID-19) Interim Measure – Correctional Centre management of quarantine and isolation hubs, fresh reception inmates and COVID-19 positive inmates' is rescinded and replaced by this Commissioner's Instruction

Management of new reception quarantine inmates from Court cells to reception centres:

When an inmate is received from the NSW Police Force (NSWPF), the Court Escort Security Unit (CESU) are to manage inmates at court locations within cell capacity and with appropriate Personal Protective Equipment (PPE) **at all times**. Transportation of these inmates are to be undertaken as follows:

- Transport runs are to pick up remanded (male) new reception inmates from various court locations and transport them directly to the Metropolitan Remand and Reception Centre's (MRRC) designated quarantine cells prior to 12.30pm daily.
- Parklea Correctional Centre (Parklea) will receive new reception inmates from 12.30pm onwards into the evening.
- Transport runs are to pick up remanded (female) new reception inmates from various court locations and transport them directly to Silverwater Women's



Correctional Centre's (SWCC) designated quarantine cells prior to 1.00pm daily.

- Additionally, any inmates that are not received into MRRC, SWCC or Parklea will be held in Amber Laurel, Surry Hills and Kariong overnight or until they are moved as soon as possible.

CESU are to manage any quarantine inmates at court locations within cell capacity and comply with Red Zone PPE when in direct contact with a symptomatic or a positive inmate as outlined in CI 45/2022. Inmates must be issued with surgical face masks to wear during transport and any time outside their cell.

Quarantine, Court cell and transport cleaning requirements

To ensure the risk of transmission is mitigated within court cell locations, transportation and/or centre-based cells, the following cleaning requirements are to be implemented and followed:

- All court cell and centre-based cell locations holding quarantined/isolation inmates must be sanitised after use and prior to housing other inmates, utilising the pre-existing two-step cleaning procedure.
- All CESU staff must ensure that after transporting quarantined/isolation inmates, the compartment(s) are immediately decontaminated thoroughly after use, utilising the pre-existing two-step cleaning procedure.

Quarantine requirements for fresh custody inmates in correctional centres

- Fresh custody inmates received into correctional centres from police/court cells or directly from NSW Police Force are to be managed in quarantine for a mandatory 7- day period.
- All fresh custody inmates will be subject to an entry RAS test on arrival to a correctional centre
- CSNSW staff will monitor inmates and refer any inmates who report or display symptoms to JH&FMHN/Private Health provider.
- Asymptomatic inmates will be released from quarantine without clearance by JH&FMHN/Private Health provider on day 7 of their quarantine period

Quarantine and accommodation arrangements

The Quarantine arrangement is as follows:

- Inmates are to be placed into pre-existing dedicated quarantine locations within nominated reception and remand centres.
- New reception inmates are to be housed within cell capacity and are to interact with their cohort group for the entire 7-day period. Please note that:
 - If there is extreme pressure on bed availability and an inmate is released within 72 hours of commencing quarantine, leaving their cellmate one-out, a new reception inmate may be placed in the cell. When this occurs the quarantine period will restart for the existing cellmate.
 - This practice is only permitted in the first 72 hours of quarantine and is designed to relieve extreme front-end pressure and ensure court cells can continue receiving fresh custodies.



- Inmates in quarantine are strongly encouraged to wear a surgical face mask anytime their cell door is open or anytime they are outside of their cell. They must also be given access to masks for use in cell if they choose.
- Where inmates require special management in accordance with identified risks, appropriate measures are to be implemented as per the relevant Custodial Operations Policy and Procedures (COPP) sections.

Clinical Isolation

CSNSW will retain existing isolation protocols for any inmates, including new reception inmates who have cold/flu like symptoms or had close contact with a person diagnosed with COVID-19. These inmates will be placed in 'Clinical Isolation', one-out cell, in a pre-existing designated area within Court location and or Correctional Centre and are not to be managed within Quarantine regimes.

Inmates will remain in the Clinical Isolation until they are;

- Confirmed negative and have been assessed by JH&FMHN / Private Health providers.
- Confirmed positive for COVID-19 and managed appropriately under existing COVID 19 protocols. Isolation periods are determined by JH&FMHN / Private Health providers in conjunction with the NSW Health, Population Health Team.

Additional requirements for any inmates that are placed in 'Clinical Isolation' are as follows;

- Inmates are required to wear surgical face masks during the escort/movement or whenever outside of their cell. They can also be provided with masks for use in cell if they choose to. Inmates are to be housed in dedicated isolation cells. As a minimum requirement, each isolation cell will have a cell-door hatch (or veranda), toilet, and preferably a shower if possible. In extreme circumstances where a cell does not have the required amenities, a detailed risk management plan must be developed by the centre.
- Inmates who have tested positive for COVID-19 are to be managed in situ where possible.
- All movements/escorts of inmates are to be coordinated through the Strategic Population Management and in consultation with the relevant transport units.
- 'Clinical isolation' inmates can be transported together in a vehicle with other clinical isolation inmates, providing they are asymptomatic.

All other pre-existing isolation measures inclusive of PPE and cleaning requirements remain in place.

Management of COVID-19 positive inmates

Following identification of a positive inmate or inmates, the Functional Manager (FM) or Officer in Charge (OIC) of the shift must notify the COVID-19 Command Post. The COVID-19 Command Post will then confirm with JH&FMHN/Private Health provider, and local centre management whether the inmate/s can be managed as per health guidelines, in situ.



If the inmate cannot be managed in situ then a Section 23 Movement Order should be raised as soon as practicable for an inmate to be transferred to the MRRC, SWCC or alternate location.

Governors or Managers of Security must ensure the area is adequately staffed 24 hours a day for effective supervision and regular communication with inmates, including regular observations to monitor changes in physical or mental health.

Staff are to provide COVID-19 positive inmates with relevant information to ensure that inmates are fully informed about their physical isolation including the conditions of their isolation and the likely length of their isolation, if known. If inmates wish to advise one of their approved phone contacts of the changes in their circumstances, the OIC is to advise the relevant staff who are to contact the inmate's identified contact and advise that the inmate is in isolation.

Inmates will only be discharged from isolation on the written advice of JH&FMHN/Private Health provider that they have completed their isolation and present no contagion risk to staff or other inmates.

Procedure for COVID-19 positive inmate escort from cell to cell within a correctional centre

- The OIC of the area that the inmate is housed in, is to ensure that all non-involved persons are removed from the area prior to the movement of the inmate.
- The inmate who is escorted is to be provided with a face mask and directed to wear the required PPE. Centre staff are to instruct the inmate to cough and/or sneeze into their elbow.
- The inmate must be strip-searched in their cell by officers prior to escort (procedures must comply with s17.1 of the COPP). If an inmate's condition makes strip searching prohibitive, the OIC, taking into consideration any medical advice provided by JH&FMHN or the private health provider, may determine to conduct a pat search, or make use of an electronic device. The OIC must record the reasons for not strip searching on the inmate's case notes.
- Officers are to provide disposable gloves to the inmate and direct the inmate to put them on and pull them up over their wrists. Once the inmate's gloves are in place, the officer is to direct the inmate to stretch out their arms until their elbows lock and to turn their head away to apply handcuffs if operationally required.
- Officers are to escort the inmate and their property, via the advised walk path, directly to the Isolation Cell. The accompanying correctional centre officers must maintain social distancing protocols and minimise interaction with the inmate. The escorting officers are to then remove their PPE in a designated area.

Inmates with mental health or at risk of self-harm or suicide

The impact of physical isolation may increase the risk of self-harm, suicidal behaviours and decline in mental health. Correctional Officers must ensure such risks are safely minimised and reduce the potential for staff having to respond to a self-harm or suicide incident.



If an inmate is placed in isolation and is identified as being at risk of suicide or self-harm, the OIC of the Isolation Hub is to immediately advise the relevant Executive Officer and JH&FMHN or the private health provider. Inmates must still be managed in accordance with COPP s3.7 *Management of inmates at risk of self-harm or suicide*.

Inmates on segregation orders

If an inmate is received into isolation with an active segregation order the order continues to apply for the timeframe imposed. The conditions, including associations are to continue to apply. Inmates that meet the criteria for segregated custody (s3.4 of the COPP) due to their behaviour while in isolation can still be placed on segregation.

Inmates with specific needs

Where an Isolation inmate is identified through the reception process as having specific needs, every effort must be made to effectively manage those needs. These inmates may include but are not limited to:

- health/medical issues, in addition to COVID-19 positive
- aged and /or frail
- intellectual or psychiatric impairment
- hearing, sight, physical or speech disabilities
- culturally and linguistically diverse inmates

When an inmate with a State-wide Disability Services alert is placed into isolation the State-wide Disability Services is to be advised via email [REDACTED]

Decline in medical state

If an inmate appears to be in distress, has worsening symptoms or is non-responsive, correctional officers must follow the procedures outlined in COPP s13.2 *Medical emergencies*.

Time out of cell

Given the risk of COVID-19 transmission, time out of cells may be restricted for Isolation inmates. Inmates will be permitted to leave their cells in the case of an emergency (e.g. fire, flooding) or to be transferred to an observation cell. Isolation inmates will, unless it is not operationally possible, provided time out of cell consistent with the principles and need of isolating COVID-19 positive inmates and the safety and security requirements of the centre. COVID-19 positive inmates may share common space. Local Operating Procedures are to be implemented regarding the allowance of time out of cell.

Cell access for staff

Physical staff interactions with inmates with confirmed COVID-19 must be minimised. Interactions will primarily be through the cell door trap (or veranda) or via the cell intercom. Provision of food, oral medication (including OST), and other items (including tablets for video visits) will be provided through the cell door hatch. This does not include the health checks and assessment by JH&FMHN staff which must be completed via the open cell door.



Access to health and other services

Best endeavours must be employed to allow inmates, where possible to have 'controlled' access to services that are provided to inmates not in quarantine (e.g. out of cell time, telephone calls, sending/receipt of mail, access to television, health care services, SAPOs, Psychology, and Chaplaincy etc.)

Inmates will be provided a range of materials and equipment to support their time during isolation. All entitlements, support, activities, and services available to inmates under the *COPP* continue to be delivered subject to the conditions of their isolation and the outlined Justice Health containment plan. Access to services and support staff is given via the cell hatch door or via in-cell technology where available. If face to face contact must occur, staff must wear appropriate PPE and the inmate must wear a surgical mask.

Inmates must be given access to their legal representatives as per our statutory obligations. This should be facilitated using technology (phones, tablets) if in-person appointments cannot be facilitated.

Inmate communications

Inmates are to be encouraged to maintain contact with their family and social supports by mail and telephone. This contact is beneficial to support a prisoner during their custody when social contact is limited. In-cell technology and tablets will be utilised, where available. Staff must ensure that a cell inspection and a cell intercom check (and/or duress alarm) is conducted in each cell daily, along with welfare checks and regular management observations of each inmate subject to physical isolation.

Cleaning of cell and decontamination of inmate's property

Each cell must be cleared prior to reallocating the cell to a new inmate. Staff must ensure that hospital grade disinfectant is applied to:

- the cell door lock
- the cell door hatch
- any other area of the cell that staff may frequently come into contact with.

Escorts for emergency medical attention

In cases where the inmate is critical and reliant on breathing or other medical apparatus, the NSW Ambulance Service is to be engaged to transfer the inmate to hospital. If inmates appear to be in distress, have worsening symptoms or are nonresponsive, correctional officers must follow the procedures outlined in section 13.2 of the *COPP*, medical emergencies.

Isolation officer/s must accompany the inmate, with the number of escorting officers determined by classification and risk assessment approved by Centre Management.

At any stage throughout this process prior to departure from the correctional centre the offender becomes non-compliant and there is an increase in the risk level due to the inmate's behaviour, the security arrangements may need to be strengthened.



On return to the correctional centre, any inmate returning to a correctional centre who has been admitted to hospital or taken to the emergency department and not admitted are to be placed either two out or in an assessment cell until a comprehensive JH&FMHN or the private health provider review can take place. Escorting staff must follow the PPE removal procedure outlined above.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 07

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure –Update to Correctional Centre management of isolation inmates, new reception inmates and COVID-19 positive inmates

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction (CI) 2023/06 'Novel Coronavirus (COVID-19) Interim Measure – Correctional Centre management of quarantine and isolation hubs, fresh reception inmates and COVID-19 positive inmates' is rescinded and replaced by this Commissioner's Instruction.

Management of new reception inmates from Court cells to reception centres

When an inmate is received from the NSW Police Force (NSWPF), the Court Escort Security Unit (CESU) are to manage inmates at court locations within cell capacity and with appropriate Personal Protective Equipment (PPE) **at all times**.

CESU are to manage any isolation inmates at court locations within cell capacity and comply with Red Zone PPE when in direct contact with a symptomatic or a positive inmate as per the current PPE Commissioner's Instruction. Inmates must be offered access to a surgical face mask to wear during transport and any time outside their cell.

Isolation, Court cell and transport cleaning requirements

To ensure the risk of transmission is mitigated within court cell locations, transportation and/or centre-based cells, the following cleaning requirements are to be implemented and followed:



- All court cell and centre-based cell locations holding isolation inmates must be sanitised after use and prior to housing other inmates, utilising the pre-existing two-step cleaning procedure.
- All CESU staff must ensure that after transporting isolation inmates, the compartment(s) are immediately decontaminated thoroughly after use, utilising the pre-existing two-step cleaning procedure.

COVID-19 Rapid Antigen Screening (RAS) of new reception inmates in correctional centres

- All new reception inmates will be subject to an entry RAS test on arrival to a correctional centre
- CSNSW staff will monitor inmates and refer any inmates who report or display cold/flu like symptoms to Justice Health & Forensic Mental Health Network (JH&FMHN) / Private Health provider.

Quarantining of new reception inmates has now ceased

New reception inmates are no longer required to complete a seven-day quarantine period. All centres are to return to business as usual placement processes.

Clinical Isolation

Any inmates, including new reception inmates who have cold/flu like symptoms or had close contact with a person diagnosed with COVID-19 will be placed in 'Clinical Isolation', one-out cell, in a pre-existing designated area within Court location and or correctional centre.

Inmates will remain in the Clinical Isolation until they are;

- Confirmed negative and have been assessed by JH&FMHN / Private Health providers.
- Confirmed positive for COVID-19 and managed appropriately under existing COVID 19 protocols. Isolation periods are determined by JH&FMHN / Private Health providers in conjunction with the NSW Health, Population Health Team.

Additional requirements for any inmates that are placed in 'Clinical Isolation' are as follows;

- Inmates must be offered access to surgical face masks during the escort/movement or whenever outside of their cell. They can also be provided with masks for use in cell if they choose to. Inmates are to be housed in dedicated isolation cells. As a minimum requirement, each isolation cell will have a cell-door hatch (or veranda), toilet, and preferably a shower if possible. In extreme circumstances where a cell does not have the required amenities, a detailed risk management plan must be developed by the centre.
- Inmates who have tested positive for COVID-19 are to be managed in situ where possible.
- All movements/escorts of inmates are to be coordinated through the Strategic Population Management and in consultation with the relevant transport units.
- 'Clinical isolation' inmates can be transported together in a vehicle with other clinical isolation inmates, providing they are asymptomatic.



All other pre-existing isolation measures inclusive of PPE and cleaning requirements remain in place.

Management of COVID-19 positive inmates

Following identification of a positive inmate or inmates, the Functional Manager (FM) or Officer in Charge (OIC) of the shift must notify the COVID-19 Command Post. The COVID-19 Command Post will then confirm with JH&FMHN / Private Health provider, and local centre management whether the inmate/s can be managed as per health guidelines, in situ.

If the inmate cannot be managed in situ then a Section 23 Movement Order should be raised as soon as practicable for an inmate to be transferred to the Metropolitan Remand and Reception Centre (MRRC), Silverwater Women's Correctional Centre (SWCC) or alternate location.

Governors or Managers of Security must ensure the area is adequately staffed 24 hours a day for effective supervision and regular communication with inmates, including regular observations to monitor changes in physical or mental health.

Staff are to provide COVID-19 positive inmates with relevant information to ensure that inmates are fully informed about their physical isolation including the conditions of their isolation and the likely length of their isolation, if known. If inmates wish to advise one of their approved phone contacts of the changes in their circumstances, the OIC is to advise the relevant staff who are to contact the inmate's identified contact and advise that the inmate is in isolation.

Inmates will only be discharged from isolation on the written advice of JH&FMHN / Private Health provider that they have completed their isolation and present no contagion risk to staff or other inmates.

Procedure for COVID-19 positive inmate escort from cell to cell within a correctional centre

- The OIC of the area that the inmate is housed in, is to ensure that all non-involved persons are removed from the area prior to the movement of the inmate.
- The inmate who is escorted must be offered access to a surgical face mask. Centre staff are to instruct the inmate to cough and/or sneeze into their elbow.
- The inmate must be strip-searched in their cell by officers prior to escort (procedures must comply with Custodial Operations Policy and Procedures (COPP) 17.1 *Searching inmates*). If an inmate's condition makes strip searching prohibitive, the OIC, taking into consideration any medical advice provided by JH&FMHN / Private Health provider, may determine to conduct a pat search, or make use of an electronic device. The OIC must record the reasons for not strip searching on the inmate's case notes.
- Officers are to provide disposable gloves to the inmate and direct the inmate to put them on and pull them up over their wrists. Once the inmate's gloves are in place, the officer is to direct the inmate to stretch out their arms until their elbows lock and to turn their head away to apply handcuffs if operationally required.



- Officers are to escort the inmate and their property, via the advised walk path, directly to the Isolation Cell. The accompanying correctional centre officers must maintain social distancing protocols and minimise interaction with the inmate. The escorting officers are to then remove their PPE in a designated area.

Inmates with mental health or at risk of self-harm or suicide

The impact of physical isolation may increase the risk of self-harm, suicidal behaviours and decline in mental health. Correctional Officers must ensure such risks are safely minimised and reduce the potential for staff having to respond to a self-harm or suicide incident.

If an inmate is placed in isolation and is identified as being at risk of suicide or self-harm, the OIC of the Isolation Hub is to immediately advise the relevant Executive Officer and JH&FMHN / Private Health provider. Inmates must still be managed in accordance with COPP 3.7 *Management of inmates at risk of self-harm or suicide*.

Inmates on segregation orders

If an inmate is received into isolation with an active segregation order the order continues to apply for the timeframe imposed. The conditions, including associations are to continue to apply. Inmates that meet the criteria for segregated custody (COPP 3.4 *Segregation*) due to their behaviour while in isolation can still be placed on segregation.

Inmates with specific needs

Where an Isolation inmate is identified through the reception process as having specific needs, every effort must be made to effectively manage those needs. These inmates may include but are not limited to:

- health/medical issues, in addition to COVID-19 positive
- aged and /or frail
- intellectual or psychiatric impairment
- hearing, sight, physical or speech disabilities
- culturally and linguistically diverse

When an inmate with a State-wide Disability Services (SDS) alert is placed into isolation, SDS is to be advised via email [REDACTED]

Decline in medical state

If an inmate appears to be in distress, has worsening symptoms or is non-responsive, correctional officers must follow the procedures outlined in COPP 13.2 *Medical emergencies*.

Time out of cell

Given the risk of COVID-19 transmission, time out of cells may be restricted for Isolation inmates. Inmates will be permitted to leave their cells in the case of an emergency (e.g. fire, flooding) or to be transferred to an observation cell. Isolation inmates will, unless it is not operationally possible, provided time out of cell consistent



with the principles and need of isolating COVID-19 positive inmates and the safety and security requirements of the centre. COVID-19 positive inmates may share common space. Local Operating Procedures are to be implemented regarding the allowance of time out of cell.

Cell access for staff

Physical staff interactions with inmates with confirmed COVID-19 must be minimised. Interactions will primarily be through the cell door trap (or veranda) or via the cell intercom. Provision of food, oral medication (including OST), and other items (including tablets for video visits) will be provided through the cell door hatch. This does not include the health checks and assessment by JH&FMHN staff which must be completed via the open cell door.

Access to health and other services

Best endeavours must be employed to allow inmates, where possible to have 'controlled' access to services that are provided to inmates not in isolation (e.g., out of cell time, telephone calls, sending/receipt of mail, access to television, health care services, SAPOs, Psychology, and Chaplaincy etc.).

Inmates will be provided a range of materials and equipment to support their time during isolation. All entitlements, support, activities, and services available to inmates under the COPP continue to be delivered subject to the conditions of their isolation and the outlined Justice Health containment plan. Access to services and support staff is given via the cell hatch door or via in-cell technology where available. If face to face contact must occur, staff must wear appropriate PPE and the inmate must be offered a surgical mask.

Inmates must be given access to their legal representatives as per our statutory obligations. This should be facilitated using technology (phones, tablets) if in-person appointments cannot be facilitated.

Inmate communications

Inmates are to be encouraged to maintain contact with their family and social supports by mail and telephone. This contact is beneficial to support a inmate during their custody when social contact is limited. In-cell technology and tablets will be utilised, where available. Staff must ensure that a cell inspection and a cell intercom check (and/or duress alarm) is conducted in each cell daily, along with welfare checks and regular management observations of each inmate subject to physical isolation.

Cleaning of cell and decontamination of inmate's property

Each cell must be cleared prior to reallocating the cell to a new inmate. Staff must ensure that hospital grade disinfectant is applied to:

- the cell door lock
- the cell door hatch
- any other area of the cell that staff may frequently come into contact with.



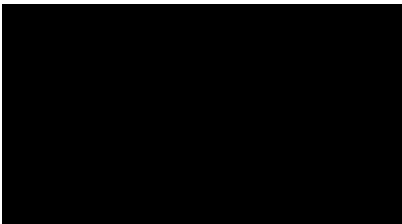
Escorts for emergency medical attention

In cases where the inmate is critical and reliant on breathing or other medical apparatus, the NSW Ambulance Service is to be engaged to transfer the inmate to hospital. If inmates appear to be in distress, have worsening symptoms or are nonresponsive, correctional officers must follow the procedures outlined in COPP 13.2 *Medical emergencies*.

Isolation officer/s must accompany the inmate, with the number of escorting officers determined by classification and risk assessment approved by Centre Management.

At any stage throughout this process prior to departure from the correctional centre the offender becomes non-compliant and there is an increase in the risk level due to the inmate's behaviour, the security arrangements may need to be strengthened.

On return to the correctional centre, any inmate returning to a correctional centre who has been admitted to hospital or taken to the emergency department and not admitted are to be placed either two out or in an assessment cell until a comprehensive JH&FMHN or the private health provider review can take place. Escorting staff must follow the PPE removal procedure outlined above.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023/08

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **Isolation Exemption for Critical workers**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction (CI) 35/2022 'Novel Coronavirus (COVID-19) Interim Measure – Confirmation of authority regarding return to work following contract tracing in custodial environments' is rescinded and replaced by this Commissioner's Instruction.

Based on updated health advice, this CI sets out the isolation exemption for Corrective Services NSW (CSNSW) staff and privately contracted staff who are classified as critical workers. The CI provides an outline of the risk mitigation strategies critical workers must undertake upon returning to work after exposure to COVID-19 and classification as a "High-Risk Close Contact". Under this CI, CSNSW critical workers are defined as all staff working in correctional centres (including private centres) and transitional centres.

CRITICAL WORKER ISOLATION EXEMPTION

CSNSW staff and privately contracted staff working in correctional centres/transitional centres are classified as critical workers and as such are exempt from undertaking an isolation period when classified as a "High-Risk Close Contact" with a confirmed case of COVID-19.



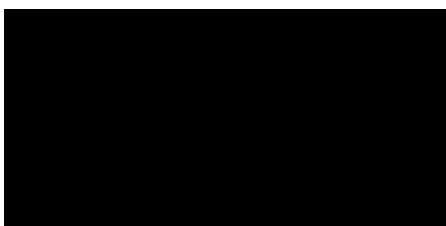
When attending work after being identified as a “High-Risk Close Contact”, staff must adhere to the following requirements for **14 days**:

- Wear a P2/N95 mask at all times in the workplace, unless eating or drinking or if the mask needs to be removed for safety reasons.
- Avoid shared spaces where possible and do not participate in staff gatherings where masks are likely to be removed (e.g., tearooms).
- Undergo daily Rapid Antigen Tests (RAT) at home, before attending the workplace.
- If you are working more than 10 hours consecutively you must submit to a second RAT midway between shifts.
- Comply with any other reasonable measures put in place by their employer to minimise the risk of transmission of COVID-19.
- Where possible, be allocated work/posts that involves minimal interaction with others, consideration should also be given to minimising exposure to those individuals who are classified as being vulnerable or at high risk of serious illness should they catch or be exposed to COVID-19.
- Monitor and report to manage any onset of symptoms. If symptomatic do not attend work.
- Asymptomatic staff members who elect not to return to work during this 14-day time period must utilise their own leave entitlements.
- Governors/Managers of Security of centres will be responsible for monitoring the mitigations put in place to return “High-Risk Close Contact” staff.

If staff test positive or develop flu like symptoms during the 14-day isolation exemption period, they must:

- Notify their Manager/Supervisor.
- Not attend the workplace.
- Notify the Command Post if COVID 19 positive and follow any directions given to them by the COVID 19 Command Post.

The CSNSW COVID 19 Command Post will provide ongoing support to sites to ensure governance and oversight is maintained.



Contact Officer:
Phone contact:
Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 09

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **COVID-Safe practices for face-to-face meetings, staff training and parades**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 38/2020 'Novel Coronavirus COVID-19 Interim Measure - Brush Farm Corrective Services Academy – Increase of face-to-face training delivery' is rescinded and replaced by this Commissioner's Instruction.

This Commissioner's Instruction provides COVID-Safe Practices for Corrective Services NSW (CSNSW) locations to continue or resume face-to-face staff training and in-person meetings within all work locations. Additionally, it outlines COVID-Safe practices to adhere to during in-person ceremonies, parades, and other formal events at Brush Farm Corrective Services Academy (BFCSA) and custodial environments.

Key COVID-safe workplace measures will assist in your planning for safer work practices based on existing risk assessments.

Face to face staff meetings and training

Managers will need to comply with their COVID-19 risk assessments to ensure the guidelines outlined are implemented for face-to-face training/meetings to occur. Wherever possible, meetings and training should be held via online or telephone channels. This will support continued attendance for those who work remotely.

If face to face staff training or meetings occur, the following practices must be adhered to:

Standard Conditions for Face-to-face staff meetings and training

- Ensure the workplace has a current COVID-19 Safety Plan.
- Face mask use is strongly encouraged for all attendees.



- Areas used for training and meetings must be cleaned and sanitised after use.
- Promote good hand, sneeze and cough hygiene.
- Hand sanitiser stations should be made available throughout the site. Staff attending training or a meeting are requested to sanitise their hands upon arriving.
- In the event of an outbreak, the Governor/ manager may in consultation with the Command Post direct staff to Rapid Antigen Screening (RAS) test as a condition of attending the meeting or training.

Specific conditions Staff meetings

- Face to face meetings should have a limited timeframe.
- Hold essential face to face meetings in open areas if possible, or open windows or adjust air conditioning for more ventilation. Meeting rooms should be ventilated between use if possible.

Specific conditions Staff training

- Attendees are not to engage in training if they are experiencing any symptoms associated with COVID-19.
- Attendees who have had high risk contact with a COVID-19 case should follow the protocols set out in CI 2023/08 and inform the facilitator.

Correctional centres, correctional complexes, or other high-risk locations

In addition to the above COVID-Safe practices, all staff entering correctional centres, correctional complexes and other high-risk work locations must comply with CI 2023/11 – ‘Novel Coronavirus (COVID-19) Interim Measure – Updated criteria for entry into correctional centres, correctional complexes, other CSNSW locations’ (or any future CI that replaces It) which sets out the specific entry requirements to these work locations.

- If the meeting or training is held in a correctional environment including residential and transitional centres, staff and facilitators must adhere to Personal Protective Equipment (PPE) requirements as applicable.
- It is encouraged that parades at correctional centres are conducted in outdoor settings where possible. Staff attending the parades must follow existing risk mitigations for PPE within their centre.

In-person parades, ceremonies, and events at Brush Farm Academy:

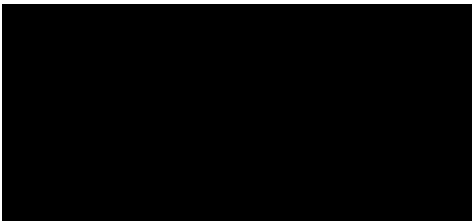
It is integral that the following safety measures be applied during events, parades, and ceremonies to reduce the risk of transmission in a large setting. The Protocol Officer is responsible for ensuring compliance with all COVID-Safe guidelines:

- Ensure the COVID-19 Safety Plan is current and in place for BFCSA.
- Upon arriving at the site, all attendees (including community, family members and government personnel external to CSNSW) are asked screening questions.
- Staff undertaking initial screening of visitors are required to wear a surgical mask and practice good hand hygiene regularly.



- The ceremony is conducted outdoors, and face masks are encouraged, and are to be made available by BFCSA.
- All staff preparing and distributing food are to use gloves/masks and follow COVID-safe practices.
- Hand sanitiser stations are made available throughout the site (including on the Parade Ground and Bistro). Attendees are requested to sanitise their hands upon arriving at the event and Bistro and are encouraged to do so upon departing (where possible).
- Strict cleaning regimes continue to apply to different areas across the site.

Note: CSNSW events conducted at locations other than CSNSW locations will only have to adhere with Community Health Guidelines.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 10

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **Update to External Leave Program (ELP) requirements – Stage 4**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 2023/05 '*Update to External Leave Program (ELP) requirements – Stage 4 – Amended*' is rescinded and replaced by this Commissioner's Instruction.

The Crimes (Administration of Sentences) Act 1999 makes provision under section 6(2) and section 26 for inmates in a range of circumstances to be temporarily absent from a correctional centre or correctional complex. As of 30 May 2022, the following external activities and programs facilitated under section 6(2)(c) and section 26 of the Crimes (Administration of Sentences) Act 1999 have recommenced and are subject to several risk mitigation strategies in response to COVID-19:

- Work Release Program, section 6.2 off complex.
- All education and training outside the correctional complex.
- Relevant activities undertaken by "Stage 2" inmates at the Compulsory Drug Treatment Correctional Centre under the provisions of section 106D(3).
- Social Leave activities / All day and weekend leave.

Any correctional centre operating inmate external leave programs, transitional centres and the Compulsory Drug Treatment Correctional Centre are required to implement the below COVID 19 risk mitigation strategies for their external leave program/s in addition to complying with their existing pandemic plan. An updated pandemic plan and COVID-19 Workplace Safety Plan must be reviewed and approved by the



Governor or Manager of Security (MOS) of the correctional centre prior to recommencement or continuation of external leave activity.

Standard COVID-19 Risk Mitigation Strategies for ELP:

- Where possible, utilise a wing/honour house specifically for external leave inmates and remove/minimise opportunities for external leave inmates to associate with non-external leave inmates.
- ELP inmates are required to wear face masks, when moving through the centre, and particularly when in contact with any other inmates not living inside their unit.
- If an inmate returns a positive Rapid Antigen Screening (RAS) test, is symptomatic, or has been identified as a high-risk close contact, an isolation placement is required until cleared by Justice Health & Forensic Mental Health Network (JH&FMHN) or private health provider.
- Any ELP inmate regressed in classification, should be monitored for COVID19 symptoms, given their potential exposure in the community as part of the ELP.
- Inmates participating in the ELP to be accommodated together (if possible) and away from other large accommodation areas to mitigate risk of transmission.
- Screening for symptoms is to be undertaken prior to leaving the centre and upon return from external leave activities for all inmates.
- The employer or educational facility must advise the correctional centre staff if any person at the workplace/educational place is isolating due to being a close contact or has tested positive to COVID-19.
- Correctional centre staff must provide inmates with surgical masks for use on either public transport or when being transported by Corrective Services NSW (CSNSW) to and from work/appointment locations. Inmates participating in the ELP must adhere to all hand hygiene protocols and physical distancing in the correctional centre and work location.
- Employers must provide approved COVID-19 Safety Plans to the Work Readiness team prior to the commencement of the ELP activity. A copy of this COVID-19 Safe Plan is to be provided to the centre.

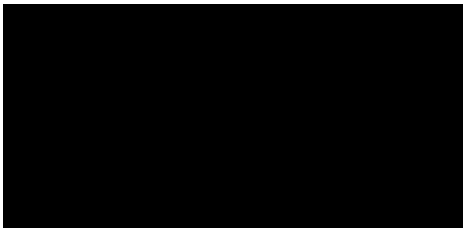
Additional requirements for all day and weekend leave:

- When completing the Sponsor Form, the sponsor must declare if any household member has been identified as close contact, has been infected, or symptomatic.
- Inmates engaging in social activities/all day and weekend leave that identify or are observed as having COVID-19 symptoms must be referred to JH&FMHN for assessment.
- The inmate sponsor must advise the 24hour Electronic & External Monitoring Group number (ph: [REDACTED]) if any person at home or any person who has attended the excursion, is isolating due to being a close contact or has tested positive to COVID-19.
- Correctional centres are to employ a controlled response to pick up and return an inmate to a correctional centre after a report of possible COVID-19 exposure.



- When a controlled pick up is not available, and where possible, the inmate is to be returned by the sponsor via private transport. If this option is not available, then the Governor or MOS may extend the section 26 for no more than 2 days whilst special transport is arranged. In the case of needing to extend the section 26 to manage a COVID-19 case, it is recommended this decision be escalated to the responsible Director, Custodial Corrections, by the Governor/MOS of the centre to approve.
- When an inmate cannot be quarantined in their centre, the Governor or MOS is to consult with the COVID-19 Command Post to negotiate an action plan in accordance with the quarantine/isolation guidelines. If required, the centre can then issue a section 23 and have the inmate moved to the nearest correctional centre with isolation availability.
- Inmates and their sponsors are encouraged to preference outdoor settings when undertaking excursions.

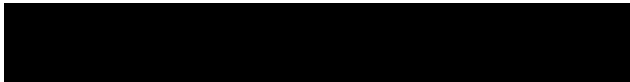
CSNSW reserves the right to suspend inmate external leave activities in response to any operation or COVID-19 related issues or risks identified. CSNSW will consult with NSW Health regarding COVID-19 prevalence in the community and any risk this may pose to ELP activities across the state.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 11

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **Updated criteria for entry into correctional centres, correctional complexes, other CSNSW locations, and working across multiple locations**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 42/2022 – '*Updated criteria for entry into correctional centres, correctional complexes, other CSNSW locations, and working across multiple locations*', is rescinded, and replaced by this Commissioner's Instruction (CI).

This Instruction sets out the requirements to allow entry to correctional centres and all other Corrective Services NSW (CSNSW) locations including privately operated centres. This Instruction does not provide guidelines for in-person social visits – please refer to CI 2023/09 or relevant updated Instruction.

Entry requirements

All persons entering correctional centres, complexes and other CSNSW work locations must:

- Provide relevant personal details to assist with contact tracing where required.
- Comply with all screening protocols.
- All visitors and staff members are to wear appropriate Personal Protective Equipment (PPE) as instructed by Commissioner's Instruction '*Novel Coronavirus (COVID-19) Interim Measure – Update to Zones and Minimum Personal Protective Equipment*' or relevant updated instruction.
- PPE is to be supplied and made available by the CSNSW location to facilitate compliance with this standard.



Note: In the event of an outbreak, the Governor may in consultation with the Command Post direct staff to Rapid Antigen Screening (RAS) test for a period of time.

Any person who meets one or all of the following criteria must not enter a CSNSW work location if they:

- Are currently positive to COVID-19.
- Are experiencing any COVID-19 symptoms unless medically cleared.
- Have been advised by their manager or the COVID-19 Command Post not to return to work.
- Refuse RAS testing as directed by management.

COVID-19 Isolation Requirements for CSNSW locations

CSNSW staff who test positive to COVID-19 are not to attend the workplace for the time periods outlined below:

- Staff working in or visiting correctional, residential, and transitional centres are not to attend the workplace for at least full 6 days after testing positive. This includes CSI workplaces with inmates present.
- Staff working in Head Office and Community Corrections Office locations are not to attend the workplace for a full 5 days after testing positive. Where possible and appropriate, staff may work from home as long as they are well enough and after consultation with their manager.

Returning to work after a COVID-19 infection

Managers can approve staff who have recovered from COVID-19 to return to work using the following advice:

Setting	Return to work guidelines
<p>Correctional, Residential and Transitional Centres (including CSI workplaces with inmates present)</p>	<ul style="list-style-type: none"> • Staff who have recovered from COVID-19 can return to work once 6 full days have passed from the date of the first positive COVID-19 test if they have not had a fever and their acute respiratory symptoms have significantly improved (cough, runny nose, or sore throat) for at least 24 hours. Other symptoms such as headache, loss of smell/taste or mild persistent cough may continue for some weeks and should not delay return to work. • Staff with acute COVID-19 symptoms after day 6 will need to be medically cleared prior to returning to work. Staff can contact the Command Post for further guidance. • Staff that have recovered from COVID-19 are exempt from COVID-19 testing for a set period as per NSW Health guidelines post recovery, regardless of symptoms.



	<ul style="list-style-type: none"> • Staff who become symptomatic again within 5 weeks of recovering from a COVID-19 infection should not attend the workplace and obtain a PCR test. <p>Risk mitigation measures</p> <ul style="list-style-type: none"> • All staff returning to work after recovering from COVID-19 are required to wear an P2/N95 mask at all times until 9 full days have passed from the date of the COVID-19 Positive Test. • Staff should avoid shared spaces and not participate in staff gatherings where masks are likely to be removed (e.g., tearooms). • Where possible staff should not work with immunocompromised inmates and be posted in a lower risk area.
<p>Head Office and Community Corrections Offices</p>	<ul style="list-style-type: none"> • Staff who have recovered from COVID-19 can return to work once 5 full days have passed from the date of the first positive COVID-19 test. • Staff with persistent COVID-19 symptoms after day 5 will need to be medically cleared prior to returning to work. • Staff that have recovered from COVID-19 are exempt from COVID-19 testing for a set period as per NSW Health guidelines post recovery, regardless of symptoms. • Staff who develop COVID-19 symptoms four or more weeks post recovery must not attend the workplace and be tested for COVID-19.

Staff identified as a High-Risk Close Contact

- All CSNSW staff are classed as critical workers and are exempt from isolating if they are identified as “High-Risk Close Contacts”.
- Staff working in correctional centres and transitional centres identified as a “High-Risk Close Contact” are required to wear a P2/N95 mask and RAS test at home daily for the 14 days following exposure, before attending the workplace. Staff must complete a secondary RAS test if they are working more than 10 hours.
- Staff working in residential centres identified as a “High-Risk Close Contact” are required to wear a P2/N95 mask and RAS test at home daily for the 14 days following exposure, before attending the workplace. Staff must complete a secondary RAS test if they are working more than 10 hours.
- Staff working in Community Corrections office locations are required to wear a mask, RAS test following an exposure to COVID-19 in the workplace as assessed by the COVID Risk Assessment Protocol (e.g., a staff member has



been assessed as a moderate or high risk) or where the use of a RAS test is likely to assist in mitigating significant operational impacts. Staff working in Community Corrections office locations identified as a “High-Risk Close Contact” are required to RAS test at home daily for 7 days following exposure, before attending the workplace.

- Staff working in Head Office locations are required to wear a mask, RAS test at home daily for the 7 days following exposure, before attending the workplace. Staff must complete a secondary RAS test if they are working more than 10 hours.
- Any staff member visiting a correctional, transitional, or residential centre after classification as a “High-Risk Close Contact” is required to wear a P2/N95 mask and RAS test daily for 14 days following exposure.

Staff who have returned from overseas

Staff can return to work following an overseas trip if they:

- Have no COVID-19 symptoms.
- Test as per the protocols set out for their work location.
- Adhere to the PPE settings for their workplace.

If symptoms emerge, the staff member must notify their manager and follow the normal COVID-19 protocols including:

- Not attending the workplace while unwell.
- Get tested for COVID-19.

Requirements for personnel working across multiple locations

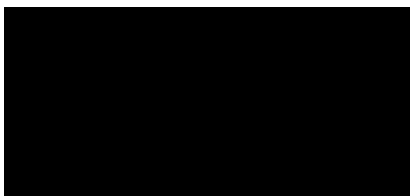
All CSNSW staff, third party providers, contractors and professionals who are required to work across multiple sites must adhere to the entry requirements at the site they are entering.

Required action if a person fails to meet entry criteria

Any person who refuses to undertake RAS testing or answer any screening questions, is to be refused entry to the location.

Emergency response exemption

Emergency personnel responding to a correctional centre/complex emergency are exempt from screening conditions (for example Security Operations Group (SOG), Fire Safety and Environmental Risk Management Unit (FSERMU), NSW Police, NSW Fire and Rescue, NSW Ambulance etc.).



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 12

For the information of all CSNSW staff

Subject: Novel Coronavirus (COVID-19) Interim Measure – **Update to resumption of Family and Friends Visits – Phase 5**

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 2023/04 'Novel Coronavirus (COVID-19) Interim Measure – Resumption of Family and Friends Visits – Phase ', is rescinded and replaced by this Instruction.

Phase 5 visits to correctional, residential, and transitional centres will continue in accordance with the requirements set out in this Commissioner's Instruction.

In-person social visits to all correctional, residential, and transitional centres will be subject to the following conditions.

Conditions for Visits

- A COVID-19 positive inmate, an inmate who is in clinical isolation, is not eligible for an in-person visit.
- Video visits will continue to be available at all correctional centres.

Visits (time/numbers)

Visits will run for a maximum of 60 minutes and must be pre-booked. An extended period of visit may be granted locally at the discretion of the Governor.

- A maximum of six (6) visitors per inmate, including children of any age.
 - A maximum of four (4) adult visitors are permitted.
 - Visitors under the age of 18 years must be accompanied by an adult.



RAS (Rapid Antigen Screening) testing

- In the event of an outbreak, the Governor may in consultation with the Command Post direct staff to RAS test for a period of time.

Masks

- All inmates, and visitors aged five (5) years and above must wear a Corrective Services NSW (CSNSW) supplied surgical face mask for the duration of the visit. No mask exemptions will be accepted.
- Masks may only be removed when actively eating or drinking.

Groups of visitors

- Movement between groups of visitors is not permitted.
- Members from the same household visiting the same inmate are not required to socially distance. Families are encouraged to maintain personal space from other groups. Children should be supervised by the parent/carer/inmate throughout the visit.

Hygiene and Personal Protective Equipment (PPE) requirements

- Visitors and inmates must practice covid safe hygiene practices and wear masks.
- Visitors and inmates must sanitise or wash hands prior to the start of the visit and at the end of the visit once masks are removed.

Permissible contact

- Contact between inmates and visitors may now return to pre-COVID settings as per normal visits Local Operating Procedures.

Consumables and playground area

At Local Management discretion:

- The consumption of food and drinks can be permitted during visits.
- Playgrounds can be opened and used by children during visits.

Staff PPE requirements

- CSNSW staff are to continue to comply with PPE requirements as per Commissioner's Instructions when interacting with inmates and visitors.

Visitors will be denied entry to a NSW correctional centre if they:

- Have COVID-19 symptoms.
- Are waiting for a COVID-19 test result.
- Refuse RAS testing, where applicable.
- Are a close contact (live with or have spent a long time with a COVID-19 positive person). Note: close contacts are not permitted to visit a correctional centre for seven (7) full days from the time of their last exposure.

Visitor restrictions

Existing processes will apply to restrictions or prohibitions for visits. Failure to adhere to the requirements set out in this Commissioner's Instruction may result in restrictions or prohibitions being imposed on an inmate or visitor by local authorised officers.



Signage

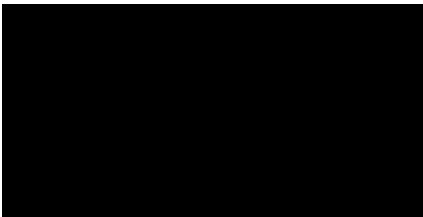
Correctional centres are to display COVID-Safe signage in and around the visits area.

Centre outbreaks and screening

For centres with current outbreaks, a plan regarding visits will be developed in conjunction with the COVID-19 Command Post and Population Health.

Progression to Business as Usual (BAU) with less restrictions

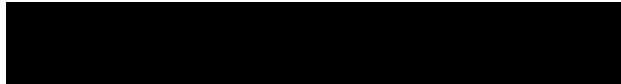
Any changes to these conditions or progression to less restrictive BAU measures will be made by way of a new Commissioner's Instruction once Phase 5 has been reviewed.



Contact Officer:

Phone contact:

Email address:



CSNSWCoronavirusCommand@justice.nsw.gov.au





Commissioner's Instruction

No: 2023 / 13

For the information of all CSNSW staff

Subject: Procedure for the request of legal advice

PREAMBLE

This Instruction is issued in accordance with the provisions of section 235B of the *Crimes (Administration of Sentences) Act 1999*. In the case of persons employed at managed correctional centres, this Instruction constitutes a direction given under section 241(2) of the *Crimes (Administration of Sentences) Act 1999*. Commissioner's Instructions amount to lawful orders and any staff member who intentionally disobeys or disregards this Instruction, or is found to be negligent in the performance of their duties, may be liable to disciplinary action under the *Government Sector Employment Act 2013*.

INSTRUCTION

Commissioner's Instruction 2023/02 'Procedure for the request of legal advice' is rescinded and replaced by this Instruction.

Requests for legal advice must be submitted to Parliamentary & Executive Services in the first instance, subject to the requirements set out below.

Scope

This Instruction applies to requests for legal advice involving the following matters:

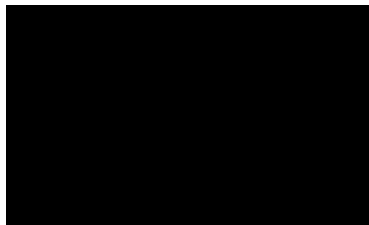
- Corrective Services NSW (CSNSW) statutory functions and powers under the *Crimes (Administration of Sentences) Act 1999*, the *Crimes (Administration of Sentences) Regulation 2014* and other Acts and laws
- Privacy, health privacy and information sharing
- Matters that have state-wide implications (for instance, following a decision of a court or tribunal).

Out of scope

This Instruction does not apply to CSNSW business units with operational responsibilities that liaise regularly with DCJ Legal on existing operational issues. This includes matters relating to:

- the administration of the *Crimes (High Risk Offenders Act) 2006*, the *Terrorism (High Risk Offenders) Act 2017* and the *Counter-Terrorism Legislation Amendment (High Risk Terrorist Offenders) Act 2020*
- inquests under the *Coroners Court Act 2009* following deaths in custody
- matters relating to CSNSW's obligations in relation to court documents including orders and detainers (warrants)
- parole unit requests relating to mandatory electronic monitoring of sex offenders
- requests relating to the prospects of an offender's parole or preparation of State submissions
- commercial matters (for example, contracts, MOUs and Agreements)
- requests for review of the Custodial Operations Policy and Procedures
- requests for advice from Open Government Information and Privacy (OGIP) in relation to specific matters (for example in response to subpoenas, warrants, GIPA applications, and other releases of information)
- court, tribunal, and board proceedings, other than those which have been finally determined, and have state-wide implications
- criminal prosecutions
- matters handled by CSNSW Professional Standards and Investigations. This includes staff misconduct, discrimination and employment law matters.

Requests by Community Corrections staff can continue to be referred to the Community Corrections Policy Unit in accordance with Section 1.1 of the Community Corrections Policy and Procedures Manual.



Contact Officer:

Phone contact:

Email address:

